

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DEQUARIUS D. FITZPATRICK,

Plaintiff,

v.

Case No. 19-C-1024

CHAD NYS,

Defendant.

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**ORDER**

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Plaintiff Dequarius Fitzpatrick filed an action pursuant to 42 U.S.C. § 1983, alleging that Defendant Chad Nys violated his constitutional rights. On September 30, 2020, the court granted Defendant's motion for summary judgment and dismissed the case. Dkt. No. 56. On December 7, 2020, the court granted Plaintiff's motion for leave to proceed *in forma pauperis* on appeal and assessed an initial partial filing fee of \$4.48. Dkt. No. 67. The court advised that, "[t]o the extent Plaintiff does not have enough money in his regular account to make the initial partial payment, Plaintiff is responsible for making arrangements with authorities to pay the remainder of the initial partial filing fee from his release account." *Id.* at 3. Plaintiff has now filed a motion for an order authorizing him to use funds from his release account to pay his initial partial filing fee. Dkt. No. 68. As the previous order already authorizes the use of his release account to pay the initial partial filing fee, no further order is necessary to satisfy Plaintiff's request. Therefore, his motion for an order to use his release account to pay his initial partial filing fee (Dkt. No. 68) is **DENIED as moot**.

**SO ORDERED** at Green Bay, Wisconsin this 18th day of December, 2020.

s/ William C. Griesbach  
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William C. Griesbach  
United States District Judge